

REMARKS / DISCUSSION OF ISSUES

Claims 1-20 are pending in the application.

The Examiner is respectfully requested to state whether the drawings are acceptable.

The Office action again rejects claim 17 under 35 U.S.C. 102(b) over Linnartz ("The 'ticket' concept for copy control based on embedded signaling", Philips Research, 4 February 1998). The applicant respectfully traverses this rejection.

"A rejection under U.S.C. 102(b) is proper only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. The identical invention must be shown in as complete detail as is contained in the claim." **MPEP 2131**. "There must be no difference between the claimed invention and the reference disclosure, as viewed by a person of ordinary skill in the field of the invention." **BPAI Opinion No. 2005-2289, October 2005**.

Claim 17 claims a method that includes determining whether the length of a received segment is sufficient to enable detection of a watermark if present in the segment and controlling importation of the segment into the secure domain in response to the segment length determination.

Linnartz does not teach determining whether the length of a received segment is sufficient to enable detection of a watermark if present in the segment, and the Office action fails to identify where Linnartz provides this teaching.

Linnartz also does not teach controlling importation of the segment into the secure domain in response to the segment length determination, and the Office action fails to identify where Linnartz provides this teaching.

Linnartz is silent with regard to measuring or determining the length of a received segment; the only reference to time is a statement by Linnartz that indicates that a playback control system should be able to detect a watermark within ten seconds (page 4, 4th bullet).

In like manner, Linnartz is silent with regard to controlling the importation of segments based on a length of a received segment. Linnartz teaches 'punching a ticket' to control the copying or playback of protected material. If the ticket initially

indicates "copy once", when the first copy is made, the ticket is punched. The copy device controls the importation and copying of material based on whether or not the ticket is punched, and the security associated with the punched ticket.

Because Linnartz fails to teach determining whether the length of a received segment is sufficient to enable detection of a watermark if present in the segment, and because Linnartz fails to teach controlling importation of the segment into the secure domain in response to the segment length determination, as specifically claimed in claim 17, the applicant respectfully maintains that the rejection of claim 17 under 35 U.S.C. 102(b) over Linnartz is unfounded, per MPEP 2131, and should be withdrawn.

In view of the foregoing, the applicant respectfully requests that the Examiner withdraw the objection(s) and/or rejection(s) of record, allow all the pending claims, and find the application in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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